

July 7, 2000

Certified Mail No. 7000 0520 0016 0711 4334

Ash Grove Cement Company c/o C T Corporation System, Registered Agent 520 Pike Street Seattle, WA 98101

EXECUTIVE DIRECTOR

Dennis J. McLerran

BOARD OF DIRECTORS

KING COUNTY EXECUTIVE

CITY OF SEATTLE, BOARD CHAIR

Margaret Pageler

Re: Notice and Order of Civil Penalty No. 9071

2. Request mitigation of the penalty; or

1. Pay the penalty;

Enclosed is Civil Penalty No. 9071 in the amount of \$3,000.00.

Within 30 days of receiving this penalty, you must do one of the following:

KITSAP COUNTY

Charlotte Garrido, Commissioner

PIERCE COUNTY EXECUTIVE

Doug Sutherland

Information regarding requesting mitigation or appealing the penalty is also enclosed.

3. Appeal the penalty to the Pollution Control Hearings Board.

SNOHOMISH COUNTY COUNCIL

Dave Somers

Please feel free to contact me at (206) 689-4078 or 1-800-552-3565, ext. 4078 if you have any questions about this matter.

EVERETT

Edward D. Hansen, Mayor

BREMERTON

Lynn S. Horton, Mayor

TACOMA

Bill Evans, Councilman

MEMBER AT LARGE

Janet Chalupnik

lanager-Inspection

NJS/kes

Sinceré

Enclosures

Ph 206.343.8800

1.800.552.3565

Fax 206.343.7522

www.pscleanair.org

AGCS2M001341

PUGET SOUND CLEAN AIR AGENCY

a municipal corporation of the state of Washington

110 Union Street, Suite 500

Seattle, Washington 98101-2038

VS

NO. 9071

NOTICE AND ORDER OF CIVIL PENALTY

ASH GROVE CEMENT COMPANY

c/o C T Corporation System, Registered Agent

520 Pike Street

Seattle, Washington 98101

You are hereby notified that, pursuant to Chapter 70.94 RCW and Notice of Violation No. 36690, a copy of which has been previously provided to you or your agent, you have violated Condition No. 5(b) of the Order of Approval for Notice of Construction No. 7381 of the Puget Sound Clean Air Agency in the following particulars:

On or about the 15th day of February 2000, at 3801 East Marginal Way South in the city of Seattle, King County, state of Washington, you caused or allowed NOx emissions from the main baghouse which exceeded 501 ppm corrected to 10% oxygen for a 24-hour average, in violation of Section Condition No. 5(b).

As a result of the foregoing violation, a penalty is assessed against you as follows:

For the violation that occurred on or about the 15th day of February 2000, wherein you caused or allowed NOx emissions over the 24-hour standard, in violation of the Order of Approval for Notice of Construction No. 7381, Condition No. 5(b), of the Puget Sound Clean Air Agency, a penalty is assessed against you in the amount of three thousand dollars (\$3,000.00).

The full amount of this penalty is due and payable within thirty (30) days of receipt of this notice, unless within such time a request for hearing is filed. (See reverse side for both mitigation procedures and appeal procedures.)

In the event the full amount of this penalty is not paid on or before thirty (30) days of receipt of this notice, or a request for mitigation has not been made to this Agency, or a request for hearing has not been made to the Pollution Control Hearings Board of Washington and the Air Pollution Control Officer, action will be commenced in court to recover such penalty.

Dated this 7th day of July 2000.

Dennis J. McLerran

Air Pollytion Control Officer

by Neal J. Shulman

Manager - Inspection

Certified Mail No. 7000 0520 0016 0711 4334



Rec 2 / 4/23/00

August 16, 2000

Certified Mail No. 7099 3220 0005 4517 1865

Ash Grove Cement Company

Notice of Disposition on Application for Relief

On June 9, 2000, this Agency received your Application for Remission or Mitigation of

Notice and Order of Civil Penalty No. 9053. We have reviewed the Application and we find that it did not demonstrate extraordinary circumstances not already considered by the

Agency in assessing this Civil Penalty. If you have any questions, or would like to

discuss this penalty further, please call me at (206) 689-4078 or 1-800-552-3565, ext.

If settlement is not reached, in accordance with RCW 43.21B.300 and 70.94.431, thirty (30) days after you receive this letter, the Civil Penalty becomes due and payable in the

full amount of \$10,000.00, unless it is appealed to the Pollution Control Hearings Board

(PCHB). If you wish to appeal this Civil Penalty, your appeal must be presented to the

is an informal guide, published by the PCHB, to inform you of your rights and

PCHB, with a copy provided to this Agency, within this thirty (30) day period. Enclosed

Notice and Order of Civil Penalty No. 9053

Ash Grove Cement Company c/o Henrik Voldback, Plant Manager 3801 East Marginal Way South Seattle, WA 98134

EXECUTIVE DIRECTOR

Dennis J. McLerran

BOARD OF DIRECTORS

Margaret Pageler

KING COUNTY EXECUTIVE

Ron Sims

Re:

4078.

Dear Mr. Voldbaek:

KITSAP COUNTY

Charlotte Garrido, Commissioner

PIERCE COUNTY EXECUTIVE

Doug Sutherland

SNOHOMISH COUNTY COUNCIL

Dave Somers

EVERETT

Edward D. Hansen, Mayor

BREMERTON

Lynn S. Horton, Mayor

TACOMA

Bill Evans, Councilman

MEMBER AT LARGE

Janet Chalupnik

Neal J. Shulman

Manager – Inspection

responsibilities in an appeal.

NJS:mll Enclosure

Sincere

cc: Laurie Halvorson, Agency Counsel

Accounting

Mario Miller, Supervising Inspector

Elizabeth Gilpin, Inspector

Melissa McAfee, Inspector

Fred Austin, Engineer

Rosemary Busterna, Compliance Systems Planner

www.pscleanair.org

Ph 206.343.8800

Fax 206.343.7522

1.800.552.3565

AGCS2M001343



May 12, 2000

Re:

Ash Grove Cement Company c/o Henrik Voldbaek, Plant Manager 3801 E Marginal Way S Seattle, WA 98134

EXECUTIVE DIRECTOR

Dennis J. McLerran

BOARD OF DIRECTORS CITY OF SEATTLE, BOARD CHAIR

Margaret Pageler

KING COUNTY EXECUTIVE

Ron Sims

KITSAP COUNTY

Charlotte Garrido, Commissioner

PIERCE COUNTY EXECUTIVE

Doug Sutherland

SNOHOMISH COUNTY COUNCIL

Dave Somers

EVERETT

Edward D. Hansen, Mayor

BREMERTON

Lynn S. Horton, Mayor

TACOMA

Brian Ebersole, Mayor

MEMBER AT LARGE

Janet Chalupnik

Ash Grove Cement Company Amended Notice and Order of Civil Penalty No. 9053

Enclosed is Amended Civil Penalty No. 9053 in the amount of \$10,000.00. The penalty was amended to change the responsible party and mailing address.

Within 30 days of receiving this penalty, you must do one of the following:

1) Pay the penalty:

2) Request mitigation of the penalty; or

3) Appeal the penalty to the Pollution Control Hearings Board.

Information regarding requesting mitigation or appealing the penalty is also enclosed.

Please feel free to contact me at (206) 689-4078 if you have any questions regarding this matter.

anager – Inspection

NJS:kes Enclosures

Sincere

Ph 206.343.8800 1.800.552.3565

Fax 206.343,7522

PUGET SOUND CLEAN AIR AGENCY
a municipal corporation of the state of Washington
110 Union Street, Suite 500
Seattle, Washington 98101-2038

VS

NO. 9053 *AMENDED*

NOTICE AND ORDER
OF CIVIL PENALTY

ASH GROVE CEMENT COMPANY
c/o Henrik Voldbaek, Plant Manager*
3801 East Marginal Way South
Seattle, Washington 98134

)

You are hereby notified that, pursuant to Chapter 70.94 RCW and Notice of Violation No. 36687, a copy of which was previously provided to you or your agent, you caused or allowed violations of Condition Nos. 5(b) and 6(d) the Order of Approval for Notice of Construction No. 7381 of the Puget Sound Clean Air Agency. The violations occurred on or about November 25 and 26, 1999, at 3801 East Marginal Way South, in the city of Seattle, King County, state of Washington. The violations are as follows:

November 25, 1999

On or about November 25, 1999, you caused or allowed NOx emissions from the main baghouse during normal operations in excess of 700 ppm for a one-hour average and 501 ppm for a 24-hour average, in violation of Condition No. 5(b); and NOx emissions from the main baghouse during startup in excess of 1000 ppm for a one-hour average, in violation of Condition No. 6(d).

November 26, 1999

On or about November 26, 1999, you caused or allowed NOx emissions from the main baghouse during normal operations in excess of 700 ppm for a one-hour average and 501 ppm for a 24-hour average, in violation of Condition No. 5(b).

As a result of the foregoing violations, a penalty is assessed against you as follows:

For the violations that occurred on or about:

November 25, 1999
November 26, 1999
Total penalty
\$ 6,000.00
4,000.00
\$ 10,000.00

The full amount of this penalty is due and payable within thirty (30) days of receipt of this notice, unless within such time a request for hearing is filed. (See reverse side for both mitigation procedures and appeal procedures.)

In the event the full amount of this penalty is not paid on or before thirty (30) days of receipt of this notice, or a request for mitigation has not been made to this Agency, or a request for hearing has not been made to the Pollution Control Hearings Board of Washington and the Air Pollution Control Officer, action will be commenced in court to recover such penalty.

Dated this 12th day of May 2000.

Dennis J. McLerran
Air Pollution Control Officer

oy Neal J. Shulman Manager - Inspection

Certified Mail No. Z 116 155 825



August 18, 2000

Certified Mail No. 7099 3220 0005 4517 1353

Ash Grove Cement Company c/o Henrik Voldbaek, Plant Manager 3801 East Marginal Way South Seattle, WA 98134

EXECUTIVE DIRECTOR

Dennis J. McLerran

Re: Notice and Order of Civil Penalty No. 9079

Enclosed is Civil Penalty No. 9079 in the amount of \$45,000.00.

BOARD OF DIRECTORS CITY OF SEATTLE, BOARD CHAIR

Margaret Pageler

Within 30 days of receiving this penalty, you must do one of the following:

1. Pay the penalty;

KING COUNTY EXECUTIVE

Ron Sims

2. Request mitigation of the penalty; or

3. Appeal the penalty to the Pollution Control Hearings Board.

KITSAP COUNTY

Charlotte Garrido, Commissioner

Information regarding requesting mitigation or appealing the penalty is also enclosed.

PIERCE COUNTY EXECUTIVE

Doug Sutherland

Please feel free to contact me at (206) 689-4078 or 1-800-552-3565, ext. 4078 if you have any questions about this matter.

SNOHOMISH COUNTY COUNCIL

Dave Somers

EVERETT

Edward D. Hansen, Mayor

BREMERTON

Lynn S. Horton, Mayor

TACOMA

Bill Evans, Councilman

NJS/kes

Enclosures

lanager-Inspection

MEMBER AT LARGE

Janet Chalupnik

Ph 206.343.8800

1.800.552.3565

Fax 206.343.7522

www.pscleanair.org

AGCS2M001346

PUGET SOUND CLEAN AIR AGENCY a municipal corporation of the state of Washington 110 Union Street, Suite 500	
	NO. 9079
Seattle, Washington 98101-2038	NO. 9079
VS	NOTICE AND ORDER OF CIVIL PENALTY
ASH GROVE CEMENT COMPANY	
c/o Henrik Voldbaek, Plant Manager	
3801 East Marginal Way South	
Seattle, Washington 98134	

You are hereby notified that, pursuant to Chapter 70.94 RCW and Notice of Violation No. 36735, a copy of which has been previously provided to you or your agent, you have violated the Order of Approval for Notice of Construction No. 7381, Condition No. 5, of the Puget Sound Clean Air Agency in the following particulars:

On or about April 1-3, 7, 8, 11, 12, 15-18, 23-25 and 30, 2000, at 3801 East Marginal Way South in the city of Seattle, King County, state of Washington, you caused or allowed emission of NOx from the main stack in excess of 501 ppm corrected to 10% O2 for a 24-hour average in violation of Condition No. 5.

As a result of the foregoing violations, a penalty is assessed against you as follows:

For the violations that occurred during April 2000, wherein you caused or allowed excess NOx emissions in violation of Order of Approval for Notice of Construction No. 7381, Condition No. 5 of the Puget Sound Clean Air Agency, a penalty is assessed against you in the amount of \$1,500.00 for each day of violation, for a total of forty five thousand dollars (\$45,000.00).

The full amount of this penalty is due and payable within thirty (30) days of receipt of this notice, unless within such time a request for hearing is filed. (See reverse side for both mitigation procedures and appeal procedures.)

In the event the full amount of this penalty is not paid on or before thirty (30) days of receipt of this notice, or a request for mitigation has not been made to this Agency, or a request for hearing has not been made to the Pollution Control Hearings Board of Washington and the Air Pollution Control Officer, action will be commenced in court to recover such penalty.

Dated this 18th day of August 2000.

Dennis J. McLerran

Air Pollytion Control Officer

Neal J. Shulman

Manager - Inspection

Certified Mail No. 7099 3220 0005 4517 1353

UGET SOUND AIR POLLUTION CONTROL AGENC 110 Union Street, Suite 500, Seattle, Washington 98101-2038 Registration No._11339 206-343-8800 / 1-800-552-3565 / Fax 206-343-7522 Nò. 36735 **VIOLATION** Cert. Mail No. 7000 0520 0016 Date of Violation: APTI Responsible Person, Title Ash Grove Cement Co. Vold.back City Location of Violation (Address) County E. Marginal WAY So. Mailing Address City, State Seattle, WA Above DID UNLAWFULLY CAUSE OR ALLOW VIOLATION OF: REGULATION OF THE PUGET SOUND AIR POLLUTION CONTROL AGENCY FOR: Section 5.05(e) Failure to develop and implement an operation and maintenance plan. Section 6.03(a) Failure to obtain Notice of Construction approval prior to construction/installation/establishment of a source. Section 9.03(a) Visible emissions in excess of 20% opacity for periods aggregating more than 3 minutes/hour. Section 9.11(a) Emission of air contaminant in quantities/characteristics/duration so as to be injurious or interfere with enjoyment of life/property Section 9.12(b) Emission of odor-bearing air contaminants without use of best available control technology. Section 9.15(a) Emission of fugitive dust without use of best available control technology. Deposition of mud, dirt, or debris from vehicle or load onto a paved public roadway. Section 9.15(b) Section 9.15(c) Emission of fugitive dust from manufacturing process equipment or control apparatus. Section 9.16 Failure to apply VOC-containing material using spray equipment in an enclosed area with filtered exhaust and vertical stack. Section 9.20 Failure to operate and maintain equipment in good working order. Failure to meet Order of Approval No. 7381, Condition No. Section CORRECTIVE ACTION ORDER Under the provisions of Section 3.09 of Regulation I and RCW 70.94.211 you are ordered to submit a written report within ten (10) days of receipt of this Notice describing the necessary corrective action you have taken or propose to take, including a schedule, to achieve continuous compliance with the regulations, and take the following necessary corrective action: Received By:

Air Pollation In

Form No. 70-119 (Revised 12/95 cbc)

Signing this Notice is not an admission of guilt

110 Union Street, Suite 500, 206-343-8800 / 1-800-550 NOTICE OF	Seattle, Washington 981 52-3565 / Fax 206-343	01-2038 -7522	6. 36734	
Cert. Mail No. 7000 · 0520 · 0016 NOTICE OF OFLO · 5295 March		2000	atm.	
Name	Responsible Person, Titl	e		
Ash Grove Cement. Co.	Henrik V	oldback	Mgr.	
Location of Violation (Address)	City	Zip	County	
3801 E Marginal Wy 50.	Seattle	98134	Kinz	
Mailing Address	City, State	Zip	Phone /	
As Above	Scattle, WA.	98134	(206)623-5596	
REGULATION OF THE PUGET SOUND AIR POLLUTION CONTROL AGENCY FOR: Section 5.05(e) Failure to develop and implement an operation and maintenance plan. Section 6.03(a) Failure to obtain Notice of Construction approval prior to construction/installation/establishment of a source. Visible emissions in excess of 20% opacity for periods aggregating more than 3 minutes/hour. Section 9.03(a) Visible emissions in excess of 20% opacity for periods aggregating more than 3 minutes/hour. Section 9.11(a) Emission of air contaminant in quantities/characteristics/duration so as to be injuribus or interfere with enjoyment of life/property for the section 9.12(b) Emission of door-bearing air contaminants without use of best available control technology. Section 9.15(a) Emission of fugitive dust without use of best available control technology. Section 9.15(b) Deposition of mud, dirt, or debris from vehicle or load onto a paved public roadway. Section 9.15(c) Emission of fugitive dust from manufacturing process equipment or control apparatus. Section 9.16 Failure to apply VOC-containing material using spray equipment in an enclosed area with filtered exhaust and vertical stack. Section 9.20 Failure to operate and maintain equipment in good working order. Failure to operate and maintain equipment in good working order. Failure to meet Order of Approval No. 7381 Condition No. 5 (b) Section FAILURA OF FAILU				
this Notice describing the necessary corrective action you have taken or proportions, and take the following necessary corrective action: This Notice describing the necessary corrective action: This South of this notice demonstration comply This Notice describing the necessary corrective action: This Notice describing the necessary corrective action you have taken or proportion. This Notice describing the necessary corrective action you have taken or proportion.	Hen Report was a scheduling a s	Her to achieve control Her Supplem FOR the	inuous compliance with the	
Issued By: Air Pollogion Inspector Form No. 70-119 (Revised 12/95 cbc) 5 · 2 · 4 · 10 Date/Timely	Received By:		AGCS2M001349	

PUGET SOUND AIR POLLUTION CONTROL AGENCY I WANT

110 Union Street, Suite 500, Seattle, Washington 98101-2038 206-343-8800 / 1-800-552-3565 / Fax 206-343-7522

1No. 36690

Signing this Notice is not an admission of guilt

Registration No. 11339 Mail No. 2411596 716

Issued By: M

NOTICE OF VIOLATION

Date of Violation: 02/15		000	atm.		
Name	Responsible Person, Title				
Ash Grove Cement Co.	Henrik Vo	ldback,	Mgr		
Location of Violation (Address)	City	Zip	County		
3801 E Marginal Way So.	Seattle	98134	King		
Mailing Address	City, State	Zip	Phone		
As Above	Scattle, WA	98134-1113	206 623-5596		
DID UNLAWFULLY CAUSE	OR ALLOW VIOLUTION	LATION OF: N CONTROL AG	ENCY FOR:		
REGULATION OF THE PUGET Some Section 5.05(e) Failure to develop and implement an operation and some section 5.05(e)					
Section 9.03(a) Section 9.11(a) Section 9.12(b) Section 9.15(a) Section 9.15(a) Section 9.15(b) Section 9.15(c) Section 9.15(c) Section 9.15(c) Section 9.15(c) Failure to obtain Notice of Construction approval prior to construction/installation/establishment of a source. Visible emissions in excess of 20% opacity for periods aggregating more than 3 minutes/hour. Emission of air contaminant in quantities/characteristics/duration so as to be injurious or interfere with enjoyment of life/property. Emission of odor-bearing air contaminants without use of best available control technology. Emission of fugitive dust without use of best available control technology. Deposition of mud, dirt, or debris from vehicle or load onto a paved public roadway. Emission of fugitive dust from manufacturing process equipment or control apparatus.					
Section 9.16 Failure to apply VOC-containing material using spr	ay equipment in an enclosed working order.	i area with filtered e			
Failure to operate and maintain equipment in geometry. Condition No. 5 (b) Failure to meet Order of Approval No. 7381, Condition No. 5 (b) Section Emission from the Main bashouse shall not exceed 501 ppm NOX Corrected to 10% 03 for a 24 hr Average Section					
FACTS ALLEGED TO CONSTITUTE A VIOLATION Causing of Allowing the Emission of NOX in excess of the 501 ppm 24 hr. Standard on 02/15/00.					
CORRECTIVE Under the provisions of Section 3.09 of Regulation I and RCW 70.94.211 yo this Notice describing the necessary corrective action you have taken or prop regulations, and take the following necessary corrective action:	and ordered to submit a w	ritten report within	n ten (10) days of receipt of atinuous compliance with the		
· — — — — — — — — — — — — — — — — — — —					
- Aud Susta			AGCS2M001350		

PUGET SOUND AIR POLLUTION CONTROL AGENCY

110 Union Street, Suite 500, Seattle, Washington 98101-2038 206-343-8800 / 1-800-552-3565 / Fax 206-343-7522 36727 80'038 889 NOTICE OF VIOLATION See below for specific Dates Date of Violation: Name Responsible Person, Title Ash Grove Cement Co. Henrik Voldback Location of Violation (Address) City County E Marginal Way Scattle 98134 Mailing Address City, State Scattle WA AS Ahove DID UNLAWFULLY CAUSE OR ALLOW VIOLATION OF: REGULATION OF THE PUGET SOUND AIR POLLUTION CONTROL AGENCY FOR: Section 5.05(e) Failure to develop and implement an operation and maintenance plan. Section 6.03(a) Failure to obtain Notice of Construction approval prior to construction/installation/establishment of a source. Section 9.03(a) Visible emissions in excess of 20% opacity for periods aggregating more than 3 minutes/hour. Section 9.11(a) Emission of air contaminant in quantities/characteristics/duration so as to be injurious or interfere with enjoyment of life/property. Section 9.12(b) Emission of odor-bearing air contaminants without use of best available control technology. Section 9.15(a) Emission of fugitive dust without use of best available control technology. Section 9.15(b) Deposition of mud, dirt, or debris from vehicle or load onto a paved public roadway. Section 9.15(c) Emission of fugitive dust from manufacturing process equipment or control apparatus. Section 9.16 Failure to apply VOC-containing material using spray equipment in an enclosed area with filtered exhaust and vertical stack. Section 9.20 Failure to operate and maintain equipment in good working order. Failure to meet Order of Approval No. 738 ..., Condition No. 5 (b) Stack emissions of NOX not to exceed 700 ppm corrected FACTS ALLEGED TO CONSTITUTE A VIOLATION The following CORRECTIVE ACTION ORDER Under the provisions of Section 3.09 of Regulation I and RCW 70.94.211 you are ordered to submit a written report within ten (10) days of receipt of this Notice describing the necessary corrective action you have taken or propose to take, including a schedule, to achieve continuous compliance with the regulations, and take the following necessary corrective action: AGCS2M001351 Received By:

Signing this Notice is not an admission of guilt

Air Pollution Inspecto

Form No. 70-119 (Revised 12/95 cbc)



July 30, 2001

Ash Grove Cement Company c/o Henrik Voldbaek, Plant Manager 3801 East Marginal Way South Seattle, WA 98134

EXECUTIVE DIRECTOR

Dennis J. McLerran

Re:

Civil Penalty # 9071

Notice and Order of Cancellation of Civil Penalty

BOARD OF DIRECTORS

SNOHOMISH COUNTY COUNCIL, CHAIR

Dave Somers

SEATTLE

Paul Schell, Mayor

KING COUNTY EXECUTIVE

Ron Sims

KITSAP COUNTY COMMISSIONER

Jan Angel

PIERCE COUNTY EXECUTIVE

John Ladenburg

EVERETT

Edward D. Hansen, Mayor

BREMERTON

Lynn S. Horton, Mayor

TACOMA

Bill Evans, Councilman

MEMBER AT LARGE

Janet Chalupnik

Ash Grove Cement Company

Enclosed is a Notice and Order of Cancellation of Civil Penalty in regards to Civil Penalty No. 9071, in the amount of \$3,000.00, which was issued on July 7, 2000. The penalty has been cancelled as a result of the reapproval and amendment of Order of Approval No. 7381, wherein a new 24-hour standard, 650 ppm, was established.

Please feel free to contact me at (206) 689-4023, or 1-800-552-3565, ext. 4023 if you have any questions about this matter.

Sincerely,

Mario Miller

Supervising Inspector

Mario Mille

cmb

Enclosures

Ph 206.343.8800 1.800,552,3565

Fax 206.343.7522

PUGET SOUND CLEAN AIR AGENCY)
a municipal corporation of the state of Washington)
110 Union Street, Suite 500) NO. 9071
Seattle, Washington 98101-2038)
) NOTICE AND ORDER
VS) OF CANCELLATION OF
) CIVIL PENALTY
ASH GROVE CEMENT COMPANY)
c/o Henrik Voldbaek, Plant Manager)
3801 East Marginal Way South)
Seattle, Washington 98134)
· · · · · · · · · · · · · · · · · · ·)

You are hereby notified that Notice and Order of Civil Penalty No. 9071, which was issued by Certified Mail No. 7000 0520 0016 0711 4334, and was dated July 7, 2000, is cancelled.

Dated this 30th day of July 2001.

Dennis J. McLerran Air Pollution Control Officer

by Mario Miller Supervising Inspector



September 7, 2001

Seattle, WA 98134

peld 9/1/01 Ash Grove Cement Company c/o Henrik Voldbaek, Plant Manager 3801 East Marginal Way South

EXECUTIVE DIRECTOR

Dennis J. McLerran

Ash Grove Cement Company Re:

Notice and Order of Civil Penalty Nos. 9053 (amended) and 9079 (amended)

BOARD OF DIRECTORS SNOHOMISH COUNTY COUNCIL, CHAIR

Dave Somers

Dear Mr. Voldbaek:

SEATTLE

Paul Schell, Mayor

This Agency wishes to acknowledge and thank you for check #92674. The funds (\$12,000.00) from this check, when deposited to the Agency, are accepted in full payment of Notice and Order of Civil Penalty Nos. 9053 (amended) and 9079 (amended).

KING COUNTY EXECUTIVE

Ron Sims

Thank you for your action to ensure compliance with Agency regulations and in joining with this Agency in efforts to achieve cleaner air.

KITSAP COUNTY COMMISSIONER

Jan Angel

Sincerely,

PIERCE COUNTY EXECUTIVE

John Ladenburg

Mario Miller

Edward D. Hansen, Mayor

Supervising Inspector

Mario Miller

BREMERTON

EVERETT

MAM/kl

Lynn S. Horton, Mayor

Laurie Halvorson, Agency Counsel

Accounting

TACOMA

Elizabeth Gilpin, Inspector

Bill Evans, Councilman

Melissa McAfee, Inspector

MEMBER AT LARGE

Janet Chalupnik

Ph 206.343.8800

1.800.552.3565

Fax 206.343.7522

www.pscleanair.org

AGCS2M001354



- /W/31/01

Working Together For Clean Air

July 30, 2001

Ash Grove Cement West, Inc. c/o Henrik Voldbaek, Plant Manager 3801 East Marginal Way South Seattle, WA 98134

EXECUTIVE DIRECTOR

Dennis J. McLerran

BOARD OF DIRECTORS
SNOHOMISH COUNTY COUNCIL, CHAIR

Dave Somers

SEATTLE

Paul Schell, Mayor

KING COUNTY EXECUTIVE

Ron Sims

KITSAP COUNTY COMMISSIONER

Jan Angel

PIERCE COUNTY EXECUTIVE

John Ladenburg

EVERETTEdward D. Hansen, Mayor

BREMERTON

Lynn S. Horton, Mayor

TACOMA

Bill Evans, Councilman

MEMBER AT LARGE

Janet Chalupnik

Re: Ash Grove Cement West, Inc.

Notice and Order of Civil Penalty No. 9053 (amended)

Enclosed is Civil Penalty No. 9053 (amended) in the amount of \$6,000.00. This Civil Penalty was originally issued on May 5, 2000 in the amount of \$10,000.00. The amount owing has been reduced as a result of the reapproval and amendment of Order of Approval No. 7381, wherein a new 24-hour standard, 650 ppm, was established.

Within 30 days of receiving this penalty, you must do one of the following:

1) Pay the penalty;

Mario Mulles

2) Request mitigation of the penalty; or

3) Appeal the penalty to the Pollution Control Hearings Board.

Information regarding requesting mitigation or appealing the penalty is also enclosed.

Please feel free to contact me at (206) 689-4023 if you have any questions regarding this matter.

Sincerely,

Mario Miller

Supervising Inspector

MAM/cmb Enclosures

Ph 206.343.8800 1.800.552.3565

Fax 206.343.7522

PUGET SOUND CLEAN AIR AGENCY a municipal corporation of the state of Washington	}
110 Union Street, Suite 500	, , , , , , , , , , , , , , , , , , , ,
Seattle, Washington 98101-2038) NO. 9053 (amended)
. VS) NOTICE AND ORDER) OF CIVIL PENALTY
ASH GROVE CEMENT WEST, INC.)
	΄
c/oHenrik Voldbaek, Plant Manager	,
3801 East Marginal Way South)
Seattle, Washington 98134	į
	· .

You are hereby notified that, pursuant to Chapter 70.94 RCW and Notice of Violation No. 36687, a copy of which was previously provided to you or your agent, you caused or allowed violations of Condition Nos. 5(b) and 6(d) the Order of Approval for Notice of Construction No. 7381 of the Puget Sound Clean Air Agency. The violations occurred on or about November 25 and 26, 1999, at 3801 East Marginal Way South, in the city of Seattle, King County, state of Washington. The violations are as follows:

On or about November 25, 1999, you caused or allowed NOx emissions from the main baghouse during normal operations in excess of 700 ppm for a one-hour average and 501 ppm for a 24-hour average, in violation of Condition No. 5(b); and NOx emissions from the main baghouse during startup in excess of 1000 ppm for a one-hour average, in violation of Condition No. 6(d).

As a result of the foregoing violations, a penalty is assessed against you as follows:

For the violation that occurred on or about the 25th day of November, 1999, wherein you caused or allowed excess Nox emissions in violation of Conditions No. 5(b) and 6(d) of Order of Approval for Notice of Construction No. 7381 of the Puget Sound Clean Air Agency, a penalty is assessed against you in the amount of six thousand dollars (\$ 6,000.00).

The full amount of this penalty is due and payable within thirty (30) days of receipt of this notice, unless within such time a request for hearing is filed. (See reverse side for both mitigation procedures and appeal procedures.)

In the event the full amount of this penalty is not paid on or before thirty (30) days of receipt of this notice, or a request for mitigation has not been made to this Agency, or a request for hearing has not been made to the Pollution Control Hearings Board of Washington and the Air Pollution Control Officer, action will be commenced in court to recover such penalty.

Dated this 30th day of July 2001.

Dennis J. McLerran

Air Pollution Control Officer

by Mario Miller

Supervising Inspector

Certified Mail No.7099 3220 0005 4517 5054



110 Union Street, Suite 500 Seattle, Washington 98101

Working Together For Clean Air

July 30, 2001

Certified Mail No. 7099 3220 0005 4517 5047

Ash Grove Cement Company c/o Henrik Voldbaek, Plant Manager 3801 East Marginal Way South Seattle, WA 98134

EXECUTIVE DIRECTOR

Dennis J. McLerran

Re: Notice and Order of Civil Penalty No. 9079 (amended)

BOARD OF DIRECTORS SNOHOMISH COUNTY COUNCIL, CHAIR

Dave Somers

Enclosed is Civil Penalty No. 9079 (amended) in the amount of \$6,000.00. This Civil Penalty was originally issued on August 18, 2000 in the amount of \$45,000.00. The amount owing has been reduced as a result of the reapproval and amendment of Order of Approval No. 7381, wherein a new 24-hour standard, 650 ppm, was established.

SEATTLE

Paul Schell, Mayor

Within 30 days of receiving this penalty, you must do one of the following:

KING COUNTY EXECUTIVE

Bon Sims

1. Pay the penalty;

2. Request mitigation of the penalty; or

3. Appeal the penalty to the Pollution Control Hearings Board.

KITSAP COUNTY COMMISSIONER

Jan Angel

Information regarding requesting mitigation or appealing the penalty is also enclosed.

PIERCE COUNTY EXECUTIVE

John Ladenburg

Please feel free to contact me at (206) 689-4023 if you have any questions about this matter.

EVERETT

Edward D. Hansen, Mayor

Sincerely,

BREMERTON

Lynn S. Horton, Mayor

nario Mulles Mario Miller

TACOMA

Supervising Inspector

Bill Evans, Councilman

MAM/cmb

MEMBER AT LARGE

Enclosures

Janet Chalupnik

Ph 206.343.8800

1.800.552.3565

Fax 206.343.7522

www.pscleanair.org

PUGET SOUND CLEAN AIR AGENCY a municipal corporation of the state of Washington 110 Union Street, Suite 500)	
Seattle, Washington 98101-2038	{	NO. 9079 (amended)
Seattle, washington 98101-2036	{	110. 5075 (amenaea)
VS) }.	NOTICE AND ORDER OF CIVIL PENALTY
ASH GROVE CEMENT COMPANY)	
c/o Henrik Voldbaek, Plant Manager)	
3801 East Marginal Way South)	
Seattle, Washington 98134	ý	
	}	

You are hereby notified that, pursuant to Chapter 70.94 RCW and Notice of Violation No. 36735, a copy of which has been previously provided to you or your agent, you have violated the Order of Approval for Notice of Construction No. 7381, Condition No. 5, of the Puget Sound Clean Air Agency in the following particulars:

On or about April 24th and 25th, 2000, at 3801 East Marginal Way South in the city of Seattle, King County, state of Washington, you caused or allowed emission of NOx from the main stack in excess of 650 ppm corrected to 10% O2 for a 24-hour average in violation of Condition No. 5.

As a result of the foregoing violations, a penalty is assessed against you as follows:

For the violations that occurred during April 2000, wherein you caused or allowed excess NOx emissions in violation of Order of Approval for Notice of Construction No. 7381, Condition No. 5 of the Puget Sound Clean Air Agency, a penalty is assessed against you in the amount of \$3,000.00 for each day of violation, for a total of six thousand dollars (\$6,000.00).

The full amount of this penalty is due and payable within thirty (30) days of receipt of this notice, unless within such time a request for hearing is filed. (See reverse side for both mitigation procedures and appeal procedures.)

In the event the full amount of this penalty is not paid on or before thirty (30) days of receipt of this notice, or a request for mitigation has not been made to this Agency, or a request for hearing has not been made to the Pollution Control Hearings Board of Washington and the Air Pollution Control Officer, action will be commenced in court to recover such penalty.

Dated this 30th day of July 2001.

Dennis J. McLerran Air Pollution Control Officer

by Mario Miller

Supervising Inspector

Mario Milles

Certified Mail No. 7099 3220 0005 4517 5047

01 8k0/01



August 18, 2000

Certified Mail No. 7099 3220 0005 4517 1353

Ash Grove Cement Company c/o Henrik Voldbaek, Plant Manager 3801 East Marginal Way South Seattle, WA 98134

EXECUTIVE DIRECTOR

Dennis J. McLerran

Notice and Order of Civil Penalty No. 9079 Re:

Enclosed is Civil Penalty No. 9079 in the amount of \$45,000.00.

BOARD OF DIRECTORS CITY OF SEATTLE, BOARD CHAIR

Margaret Pageler

Within 30 days of receiving this penalty, you must do one of the following:

KING COUNTY EXECUTIVE

Ron Sims

1. Pay the penalty; 2. Request mitigation of the penalty; or

3. Appeal the penalty to the Pollution Control Hearings Board.

KITSAP COUNTY

Charlotte Garrido, Commissioner

Information regarding requesting mitigation or appealing the penalty is also enclosed.

PIERCE COUNTY EXECUTIVE

Doug Sutherland

Please feel free to contact me at (206) 689-4078 or 1-800-552-3565, ext. 4078 if you have any questions about this matter.

SNOHOMISH COUNTY COUNCIL

Dave Somers

EVERETT

Edward D. Hansen, Mayor

BREMERTON

Lynn S. Horton, Mayor

lanager-Inspection

TACOMA

NJS/kes **Enclosures**

Bill Evans, Councilman

MEMBER AT LARGE

Janet Chalupnik

Ph 206,343,8800

1.800.552.3565

Fax 206.343.7522

www.pscleanair.org

PUGET SOUND CLEAN AIR AGENCY a municipal corporation of the state of Washington	
110 Union Street, Suite 500	,
Seattle, Washington 98101-2038) NO. 9079
VS	NOTICE AND ORDER OF CIVIL PENALTY
ASH GROVE CEMENT COMPANY)
c/o Henrik Voldbaek, Plant Manager	\(\frac{1}{2}\)
	?
3801 East Marginal Way South)
Seattle, Washington 98134)

You are hereby notified that, pursuant to Chapter 70.94 RCW and Notice of Violation No. 36735, a copy of which has been previously provided to you or your agent, you have violated the Order of Approval for Notice of Construction No. 7381, Condition No. 5, of the Puget Sound Clean Air Agency in the following particulars:

On or about April 1-3, 7, 8, 11, 12, 15-18, 23-25 and 30, 2000, at 3801 East Marginal Way South in the city of Seattle, King County, state of Washington, you caused or allowed emission of NOx from the main stack in excess of 501 ppm corrected to 10% O2 for a 24-hour average in violation of Condition No. 5.

As a result of the foregoing violations, a penalty is assessed against you as follows:

For the violations that occurred during April 2000, wherein you caused or allowed excess NOx emissions in violation of Order of Approval for Notice of Construction No. 7381, Condition No. 5 of the Puget Sound Clean Air Agency, a penalty is assessed against you in the amount of \$1,500.00 for each day of violation, for a total of forty five thousand dollars (\$45,000.00).

The full amount of this penalty is due and payable within thirty (30) days of receipt of this notice, unless within such time a request for hearing is filed. (See reverse side for both mitigation procedures and appeal procedures.)

In the event the full amount of this penalty is not paid on or before thirty (30) days of receipt of this notice, or a request for mitigation has not been made to this Agency, or a request for hearing has not been made to the Pollution Control Hearings Board of Washington and the Air Pollution Control Officer, action will be commenced in court to recover such penalty.

Dated this 18th day of August 2000.

Dennis J. McLerran

Air Pollytion Control Officer

by Neal J. Shulman Manager - Inspection

Certified Mail No. 7099 3220 0005 4517 1353

Registration No._11339 206-343-8800 / 1-800-552-3565 / Fax 206-343-7522 No. 36735 7000 0520 0016 0711 2415 NOTICE OF VIOLATION Date of Violation: APF Name Ash Grove Cement Co. Henrik Voldback Manager County Location of Violation (Address) E. Marginal WAY So. Scattle 98134 City, State **Mailing Address** 98134 Seattle, WA. Above DID UNLAWFULLY CAUSE OR ALLOW VIOLATION OF: OF THE PUGET SOUND AIR POLLUTION CONTROL AGENCY FOR: REGULATION Failure to develop and implement an operation and maintenance plan. Section 5.05(e) Failure to obtain Notice of Construction approval prior to construction/installation/establishment of a source. Section 6.03(a) Visible emissions in excess of 20% opacity for periods aggregating more than 3 minutes/hour. Section 9.03(a) Emission of air contaminant in quantities/characteristics/duration so as to be injurious or interfere with enjoyment of life/property. Section 9.11(a) Emission of odor-bearing air contaminants without use of best available control technology. Section 9.12(b) Emission of fugitive dust without use of best available control technology. Section 9.15(a) Deposition of mud, dirt, or debris from vehicle or load onto a paved public roadway. Section 9.15(b) Emission of fugitive dust from manufacturing process equipment or control apparatus. Section 9.15(c) Failure to apply VOC-containing material using spray equipment in an enclosed area with filtered exhaust and vertical stack. Section 9.16 Section 9.20 Failure to operate and maintain equipment in good working order. Failure to meet Order of Approval No. 7381, Condition No. 5 FACTS ALLEGED TO CONSTITUTE A VIOLATION CAUSING OF Alley exires of the 24 hr Standard on 4/1/00-CORRECTIVE ACTION ORDER Under the provisions of Section 3.09 of Regulation I and RCW 70.94.211 you are ordered to submit a written report within ten (10) days of receipt of this Notice describing the necessary corrective action you have taken or propose to take, including a schedule, to achieve continuous compliance with the regulations, and take the following necessary corrective action:

Form No. 70-119 (Revised 12/95 cbc)

Signing this Notice is not an admission of guilt

AGCS2M001361



Seattle Plant

facsimile

TRANSMITTAL

to:

Bob Vantuyl

Fax:

OPK

re:

NOx penalties

date: Wednesday, August 23, 2000

Number of pages: Including cover

4

New penalty - #9079

Disposition of penalty # 9053

From the desk of ...

Gerald J. Brown, CSP

Manager Safety and Environmental Ash Grove Cement Company 3801 E. Marginal Way So. Seattle, WA 98134

> (206) 694-6221 fax: (206) 623-5355



May 5, 2000

Re:

Ash Grove Cement West, Inc. c/o CT Corporation System 520 Pike Street #2610 Seattle, WA 98101

EXECUTIVE DIRECTOR

Dannis J. McLerran

Ash Grove Cement West, Inc.

1) Pay the penalty;

Notice and Order of Civil Penalty No. 9053

Enclosed is Civil Penalty No. 9053 in the amount of \$10,000.00.

BOARD OF DIRECTORS CITY OF SEATTLE, BOARD CHAIR

Margaret Pageler

KING COUNTY EXECUTIVE

Ron Sims

2) Request mitigation of the penalty; or

3) Appeal the penalty to the Pollution Control Hearings Board.

Within 30 days of receiving this penalty, you must do one of the following:

KITSAP COUNTY

Charlotte Garrido, Commissioner

Information regarding requesting mitigation or appealing the penalty is also enclosed.

PIERCE COUNTY EXECUTIVE

Doug Sutherland

Please feel/free to contact me at (206) 689-4078 if you have any questions regarding this matter.

SNOHOMISH COUNTY COUNCIL Dave Somers

EVERETT

Edward D. Hansen, Mayor

BREMERTON

Lynn S. Horton, Mayor

TACOMA

Brian Ebersole, Mayor

MEMBER AT LARGE

Janet Chalupnik

Manager - Inspection

NJS:kes

Sincerely.

Enclosures

Henrik Voldbaek, Plant Manager

Ash Grove Cement Co.

3801 E Marginal Wy S Seattle, WA 98134

Ph 206.343.8800

1.800.552.3565

Fax 206.343.7522

PUGET SOUND CLEAN AIR AGENCY
a municipal corporation of the state of Washington
110 Union Street, Suite 500 Seattle, Washington 98101-2038

VS

NO.

ASH GROVE CEMENT WEST, INC.
c/o CT Corporation System
520 Pike Street #2610

NO. 9053

NOTICE AND ORDER OF CIVIL PENALTY

You are hereby notified that, pursuant to Chapter 70.94 RCW and Notice of Violation No. 36687, a copy of which was previously provided to you or your agent, you caused or allowed violations of Condition Nos. 5(b) and 6(d) the Order of Approval for Notice of Construction No. 7381 of the Puget Sound Clean Air Agency. The violations occurred on or about November 25 and 26, 1999, at 3801 East Marginal Way South, in the city of Seattle, King County, state of Washington. The violations are as follows:

November 25, 1999

Seattle, Washington 98101

On or about November 25, 1999, you caused or allowed NOx emissions from the main baghouse during normal operations in excess of 700 ppm for a one-hour average and 501 ppm for a 24-hour average, in violation of Condition No. 5(b); and NOx emissions from the main baghouse during startup in excess of 1000 ppm for a one-hour average, in violation of Condition No. 6(d).

November 26, 1999

On or about November 26, 1999, you caused or allowed NOx emissions from the main baghouse during normal operations in excess of 700 ppm for a one-hour average and 501 ppm for a 24-hour average, in violation of Condition No. 5(b).

As a result of the foregoing violations, a penalty is assessed against you as follows:

For the violations that occurred on or about:

November 25, 1999
November 26, 1999
Total penalty

\$ 6,000.00
4,000.00
\$ 10,000.00

The full amount of this penalty is due and payable within thirty (30) days of receipt of this notice, unless within such time a request for hearing is filed. (See reverse side for both mitigation procedures and appeal procedures.)

In the event the full amount of this penalty is not paid on or before thirty (30) days of receipt of this notice, or a request for mitigation has not been made to this Agency, or a request for hearing has not been made to the Pollution Control Hearings Board of Washington and the Air Pollution Control Officer, action will be commenced in court to recover such penalty.

Dated this 5th day of May 2000.

Dennis J/McLerran

Air Pollution Control Officer

by Meal J. Shukman

Manager - Inspection

Certified Mail No. Z 580 039 053



June 22, 2000

Ash Grove Cement Company c/o Gerald Brown, Manager Safety and Environment 3801 E Marginal Way S Seattle, WA 98134

EXECUTIVE DIRECTOR

Dennis J. McLerran

Re: Ash Grove Cement Company

Application for Relief (Remission or Mitigation) Notice and Order of Civil Penalty No. 9053

BOARD OF DIRECTORS

CITY OF SEATTLE, BOARD CHAIR

Margaret Pageler

Dear Mr. Brown:

KING COUNTY EXECUTIVE

Ron Sims

On June 16, 2000, we received your request for mitigation for a meeting to discuss this civil penalty. We scheduled the meeting for July 10, 2000, at 1:00 p.m., at our office, 110 Union St., Suite 500 in Seattle. If this date and time are not acceptable to you, please contact Kim Sherman at (206) 689-4083, and a mutually agreeable date and time will be arranged.

We will evaluate your request for mitigation according to Section 3.11(c) of the agency's Regulation I. This regulation provides that a penalty will be mitigated only

Your deadline to appeal the penalty is suspended until after the meeting and our

review of the penalty. We will send you a letter entitled Notice of Disposition on Application for Relief from Penalty after our meeting. This letter will explain our

under extraordinary circumstances, such as your demonstration of factors we did not

KITSAP COUNTY

Charlotte Garrido, Commissioner

PIERCE COUNTY EXECUTIVE

Doug Sutherland

SNOHOMISH COUNTY COUNCIL

Dave Somers

EVERETT

Edward D. Hansen, Mayor

BREMERTON

Lynn S. Horton, Mayor

decision regarding your request for mitigation. Once you receive this letter, you will have 30 days to settle, pay or appeal the penalty. We will send instructions regarding appealing the penalty with the letter. If you have any questions, please feel free to call me at (206) 689-4078.

consider when we assessed the original penalty.

TACOMA

Bill Evans, Councilman

MEMBER AT LARGE

Janet Chalupnik

Neal J. Shulman

Manager - Inspection

NJS:kes

cc: Laurie Halvorson, Agency Counsel

Accounting

Rick Hess, Lead Air Pollution Inspector Melissa McAfee, Air Pollution Inspector Elizabeth Gilpin, Air Pollution Inspector

Ph 206.343.8800

1.800.552.3565

Fax 206.343.7522

www.pscleanair.org

AGCS2M001365

MOR GRUXE CEMERA CUMPARIX



"WESTERN REGION"

June 9, 2000

Mr. Neal Shulman Puget Sound Clean Air Agency 110 Union Street, Suite 500 Seattle, WA. 98101

Re: Request for Mitigation, Notice and Order of Civil Penalty No. 9053

Dear Mr. Shulman:

Ash Grove Cement Co. requests mitigation for Notice and Order of Civil Penalty No. 9053. We have requested a meeting with PSCAA in order to discuss our current permitted emission limit for NOx. The information presented at the meeting will be relevant to this Notice and Order of Civil Penalty. A tentative date of June 26, 2000 has been proposed by PSCAA. Confirmation of this date by Ash Grove is pending affirmation of availability for key personnel.

Thank you for your consideration of this matter.

Yours truly

Gerald J. Brown

Manager Safety and Environment

Copy: Henrik Voldback



July 28, 2000

Gerald J. Brown Ash Grove Cement Co. 3801 E. Marginal Way S. Seattle, Washington 98134

EXECUTIVE DIRECTOR

Dennis J. McLerran

BOARD OF DIRECTORS
CITY OF SEATTLE, BOARD CHAIR

Margaret Pageler

Dear Mr. Brown:

Office Conference - Civil Penalty No. 9053

KING COUNTY EXECUTIVE

Ron Sims

KITSAP COUNTY

Charlotte Garrido, Commissioner

PIERCE COUNTY EXECUTIVE

Doug Sutherland

SNOHOMISH COUNTY COUNCIL

Dave Somers

EVERETT

Edward D. Hansen, Mayor

BREMERTON

Lynn S. Horton, Mayor

TACOMA

EMG:VJD

Bill Evans, Councilman

MEMBER AT LARGE

Janet Chalupnik

This is to acknowledge your request for a meeting to discuss the above referenced Civil Penalty, a meeting has been scheduled at our office (110 Union Street, Suite 500, in Seattle, Washington) at 2:00 p.m. on Tuesday, August 8, 2000.

If you wish us to consider any additional information regarding this matter, please submit it allowing us time for adequate review.

If this time and date is not acceptable to you, please contact me at (206) 689-4026 or Valerie Diggs at (206) 689-4048, and a mutually agreeable time and date will be arranged.

Sincerely,

Elizabeth M. Gilpin

Air Pollution Inspector II

Ph 206.343.8800 1.800.552.3565

Fax 206.343.7522

PUGET SOUND CLEAN AIR AGENCY a municipal corporation of the state of Washington 110 Union Street, Suite 500 Seattle, Washington 98101-2038

VS

ASH GROVE CEMENT COMPANY c/o C T Corporation System, Registered Agent

520 Pike Street Seattle, Washington 98101 NO. 9071

NOTICE AND ORDER OF CIVIL PENALTY

You are hereby notified that, pursuant to Chapter 70.94 RCW and Notice of Violation No. 36690, a copy of which has been previously provided to you or your agent, you have violated Condition No. 5(b) of the Order of Approval for Notice of Construction No. 7381 of the Puget Sound Clean Air Agency in the following particulars:

On or about the 15th day of February 2000, at 3801 East Marginal Way South in the city of Seattle, King County, state of Washington, you caused or allowed NOx emissions from the main baghouse which exceeded 501 ppm corrected to 10% oxygen for a 24-hour average, in violation of Section Condition No. 5(b).

As a result of the foregoing violation, a penalty is assessed against you as follows:

For the violation that occurred on or about the 15th day of February 2000, wherein you caused or allowed NOx emissions over the 24-hour standard, in violation of the Order of Approval for Notice of Construction No. 7381, Condition No. 5(b), of the Puget Sound Clean Air Agency, a penalty is assessed against you in the amount of three thousand dollars (\$3,000.00).

The full amount of this penalty is due and payable within thirty (30) days of receipt of this notice, unless within such time a request for hearing is filed. (See reverse side for both mitigation procedures and appeal procedures.)

In the event the full amount of this penalty is not paid on or before thirty (30) days of receipt of this notice, or a request for mitigation has not been made to this Agency, or a request for hearing has not been made to the Pollution Control Hearings Board of Washington and the Air Pollution Control Officer, action will be commenced in court to recover such penalty.

Dated this 7th day of July 2000.

Dennis J. McLerran

Air Pollytion Control Officer

by Neal J. Shulman Manager - Inspection

Certified Mail No. 7000 0520 0016 0711 4334

M. 36690

Registration No. 11339 . Mail No. 2411596 716

Form No. 70-119 (Revised 12/95 cbc)

110 Union Street, Suite 500, Seattle, Washington 98101-2038 206-343-8800 / 1-800-552-3565 / Fax 206-343-7522

NOTICE OF VIOLATION

Date of Violation: 02/15		2000	atm.	
Name	Responsible Person, Tit	Responsible Person, Title		
Ash Grove Cement Co.	Henrik Vo	oldback,	Mgr	
Location of Violation (Address)	City	Zip	County	
3801 E Marginal Way So.	Seattle	98134	King	
Mailing Address	City, State	Zip	Phone	
As Above	Scattle, WA	98134-1113	206 623-5596	
DID UNLAWFULLY CAUS	SE OR ALLOW VIO	LATION OF:		
Section 5.05(e) Section 6.03(a) Section 9.03(a) Section 9.11(a) Section 9.12(b) Section 9.15(a) Section 9.15(c) Section 9.15(c) Section 9.16 Section 9.20 Failure to develop and implement an operation approved by a proposition of air contaminant in quantities/chara three propositions of air contaminant in quantities/chara three proposition of fugitive dust without use of best a pepposition of fugitive dust from manufacturing frailure to apply VOC-containing material using frailure to operate and maintain equipment in grailure to meet Order of Approval No. 738 Section Section 4 10 10 10 10 10 11 11 11 11 11 11 11 11	val prior to construction/installar periods aggregating more than acteristics/duration so as to be in thout use of best available control vailable control technology. The corresponding of the control approcess equipment or control approcess equipment in an enclose good working order. Average	3 minutes/hour. ajurious or interfere voltechnology. adway. aparatus. ad area with filtered e	with enjoyment of life/property	
FACTS ALLEGED TO CONSTITUTE A VIOLATION CAN	4 hd. Standard	Jon oal	nission of 115/00 ·	
CORRECTIV Juder the provisions of Section 3.09 of Regulation I and RCW 70.94.21 his Notice describing the necessary corrective action you have taken or egulations, and take the following necessary corrective action:	E ACTION ORDE 1 you are ordered to submit a w propose to take, including a sch	vritten report within	n ten (10) days of receipt of ntinuous compliance with the	
4 1/11				

Received By:

Signing this Notice is not an admission of guilt

AGCS2M001369

PUGET SOUND AIR POLLUTION CONTROL AGENCY

110 Union Street, Suite 500, Seattle, Washington 98101-2038 Fax: 206-343-7522

CERT Z411 596 716 Registration No. 1133 9	Case No]
COMPLIANCE	STATUS REPORT
Date of Report April 10 th	, 19 <u>00</u> atm.
Source Name	Responsible Person, Title
Ash Grove Cement Co.	Henrik Voldback Manager
Location 3801 E. Marginal Way So	. Seattle, WA. 98134
respect to the areas of the facility I inspect of 400 = 2/200 During my inspection, I noted the followin Violation = were report	00 CEM report, ag deficiencies:
2/02/00 NOX NC 7381 2/28/00 NOX NC 7381	#5(b) 700 pp 7 Hc 5 hr
	R I 12.03 F(5) < 90% Data Recovery 19 R 7 12.03 F(5) < 90% Data Recovery
Approved And is Subject Please submit a written report within ter	policy which is not Booked
Issued by:	Received by

PSAPCA Form No. 70-182 (7/1/93) jrs

110 Union Street, Suite 500, 206-343-8800 / 1-800-5	Seattle, Washington 981 52-3565 / Fax 206-343	##COO .	36734
State of the state of	F VIOLATIC		00104)
Cert. Mail No. 7000 . 0520 . 0016 NOTICE Of 6710 . 5295 March		2000	atm.
Name	Responsible Person, Titl	e	
Ash Grove Cement Co.	Henrik V	oldback	Mgr.
Location of Violation (Address)	City	Zip	County
3801 E Marginal Wy 50.	Seattle	98134	King
Mailing Address	City, State	Zip	Phone
As Above	Scattk, WA.	98134	(20G)623-5596 -
DID UNLAWFULLY CAUSE REGULATION OF THE PUGET S	OR ALLOW VIO		
□ Section 5.05(e) Failure to develop and implement an operation and Section 6.03(a) Failure to obtain Notice of Construction approval provided in Section 9.03(a) Visible emissions in excess of 20% opacity for periodic section 9.11(a) Emission of air contaminant in quantities/characteric Emission of odor-bearing air contaminants without use of best availated Deposition of mud, dirt, or debris from vehicle or location 9.15(c) Emission of fugitive dust from manufacturing process Section 9.16 Failure to apply VOC-containing material using sproposition of the section 9.20 Failure to operate and maintain equipment in good Failure to meet Order of Approval No. 7381	maintenance plan. rior to construction/installations aggregating more than 3 stics/duration so as to be injuse of best available control ble control technology. and onto a paved public road ess equipment or control appray equipment in an enclosed working order, Condition No. 5 (6)	ion/establishment of minutes/hour. urious or interfere v technology. way. haratus. Harea with filtered e	rith enjoyment of life/property. Exhaust and vertical stack.
O Section Faire one of NOV from the Ma	in stack shall	not Excect	501 opn

CORRECTIVE ACTION ORDER

Under the provisions of Section 3.09 of Regulation I and RCW 70.94.211 you are ordered to submit a written report within ten (10) days of receipt of

this Notice describing the necessary corrective action you have taken or propose to take, including a schedule, to achieve continuous compliance with the regulations, and take the following necessary corrective action:

regulations, and take the rollowing necessary contents a written Report within 30 days of nour cereift of this potice demonstration compliance with the Nex supplemental significant thirdshold of 9 lb/fir of NOX (Table 1 Enclosed) for the dates specifical

Issued By: MAN

5 · 24 · 00

Date/Time

Received By:

Signing this Notice is not an admission of guil

Form No. 70-119 (Revised 12/95 cbc)

Signing this Notice is not an admission of guilt AGCS2M001371

PUGET SOUND AIR POLLUTION CONTROL AGENCY

110 Union Street, Suite 500, Seattle, Washington 98101-2038

COMPLIANCE STATUS REPORT Date of Report March Responsible Person, Title Ash Grove Cement Co. Henrik Voldback Mgs. Location 3801 E Marginal Way So. Scattle, Wat. 98134 No violations of PSAPCA's regulations were observed at the time of my inspection respect to the areas of the facility I inspected. During my inspection I noted the following deficiencies: Ash Grove Causerd or Allowed the following March 2000 CEM Report Follutary Standard Duration 3/21/00 Nox No 7381 \$5(h) 501 pho 24 hr. 3/23/00 Nox No 7381 \$5(h) 700 ppon Thr. 3/23/00 Nox No 7381 \$6(d) 1000 pp. Thr. The Sc Violations will not be subject to Penalty Peac the Alfolians will not be subject to Change Please submit a written report within ten (10) working days describing the necessary corrective action you have taken or propose to take, including a schedule, to address the above deficiencies.	Tax	k. 200-343-7322
Date of Report March Responsible Person, Title Ash Grove Cement Co. Henrik Voldback Mgr. Location 3801 E Marginal Way So. Scattle, Wfl. 98134 No violations of PSAPCA's regulations were observed at the time of my inspection respect to the areas of the facility I inspected. During my inspection I noted the following deficiencies: Ash Grave Caused or Allowed the following Violations as reported in the March 2000 Em Report Par follutari Standard Duration 3/21/00 NOX NC 7381 \$5(h) Sol pph 24 Ar. 3/23/00 NOX NC 7381 \$5(h) 700 ppm I hr. 2/3/23/00 NOX NC 7381 \$6(d) 1000 pp. I hr. 3/23/00 NOX NC 7381 \$6(d) 1000 pp. I hr. 3/23/00 NOX NC 7381 \$6(d) 1000 pp. I hr. Please Submit a written report within ten (10) working days describing the necessary corrective action you have taken or propose to take, including a schedule, to address the above deficiencies. Jesued by: Way Area of the propose of take, including a schedule, to address the above deficiencies.	Registration No. 1133 9	Case No.
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	PSAPCA Form No. 70-182 (7/1/93) jrs	le.

CONTINUOUS EMISSION MONITORING CIVIL PENALTY POLICY

Applicability

This worksheet shall be employed in making a recommendation for assessment of civil penalties for violations of Agency regulations or permits determined through continuous emission monitoring (CEM). This policy does not apply to violations of Article 12 of Regulation I.

Table I below contains specific criteria for assessing whether CEM violations are high priority because they are environmentally significant and are of concern to EPA. These criteria are intended to implement the draft EPA policy on High Priority Violations (July 1998) and should be interpreted in accordance with that draft EPA policy. Emission standard violations which meet the criteria contained in Table I and which have not been excused by PSAPCA under the criteria contained in WAC 173-400-107 shall be evaluated for civil penalty.

Table 1 High Priority CEM Violations

Violation	Standard Averaging Time	Supplemental Significance Threshold	% In Excess of Reference Limit		% of Time In Excess of Reference Limit
Gaseous Emission Standard (non- opacity standard)	≤ 24 hour averaging period .	CO 23 lb./hr NOx 9 lb./hr SO ₂ 9 lb./hr VOC 9 lb./hr	The applicable standard plus 15% or the applicable standard plus the supplemental significance threshold, whichever is more stringent	FOR	>3% of the actual operating hours during the month
				OR	Any exceedance of the applicable standard for > 25% of the actual operating hours during the month
	> 24 hour averaging period		Any violation of the applicable standard	·	N/A -
Opacity	1 hour average		The applicable standard plus 15%	FOR	>3% of the actual operating hours during the month
41	6 minute average	a.	>25% opacity, six minute average	FOR	>3% of the actual operating hours during the month

Generally, the Agency will not issue civil penalties for emission standard violations which are not High Priority Violations as defined in Table I. However, the Agency reserves the right to issue civil penalties for emission standard violations that may not meet the High Priority Violation criteria contained in Table I, but represent chronic emission standard violations or violations which the Agency believes are environmentally significant.

Source: NOV No: Case No: The following procedure shall be employed in making a recommendation for assessment of civil penalties for violations of Agency regulations or permits determined through continuous emission monitoring. Guidance for answering the questions in Table I is on the back of this sheet. This procedure results in a penalty calculation for all the violations occurring on each calendar day. Civil penalties involving demonstrable economic benefit to the violator shall include both a gravity and a benefit component and shall be determined by adding the dollar amount from Table II below and the calculated economic benefit. No gravity component will be assessed if the rating from the gravity criteria is less than or equal to zero. Table I **Gravity Criteria** Daily Score 1. How far were the emissions above the standard? 2. How many hours in the day was the source in violation? 3. On how many days during the month was the source in violation? 4. Were immediate steps taken in an attempt to correct the violation? 5. Were appropriate measures taken to prevent future violations? 6. Did the violator have an economic incentive to violate? **Total Gravity Criteria Rating** Table II **Gravity Component Penalty** 16 18 17 14 15 12 13 8-9 10 11. 5-7 Rating: ≤ 0 1-4 Penalty: 0 1,000 2,000 3,000 4,000 5,000 6,000 7,000 8,000 9,000 10,000 11,000 11,997 Benefit Component Penalty If there was a net economic benefit to the violator the calculated dollar amount of the economic benefit is \$_____ (attach calculations). Comments: Evaluator: _____ Date: ____ Civil Penalty Recommendation:\$____ Checked By: _____ Date:

PSAPCA Form No.Draft)

1. How far were the emissions above the standard? (Use the highest value recorded on that day.)

Maximum Percent Above the Emission Standard	Daily Score
1% - 25%	0
26% - 50%	1
51% - 75%	2
76% - 100%	3
>100%	. 4

2. How many hours in the day was the source in violation? (Violations of the same standard not excused within 30 days, at the same source, regardless of cause.)

Number of Hours of Violation	Daily Score
1	0
2 - 3	1
4 - 6	2
7 - 9	3
10 - 12	4
>12	5

3. On how many days during the month was the source in violation? (Violations of the same standard not excused within 30 days, at the same source, regardless of cause.)

Days In Violation During The Month		Daily Score
1 - 2 days	•	0
3 - 5 days	•	1
6 - 10 days	•	2
> 10 days		3

4. Were immediate steps taken in an attempt to correct the violation? (Immediate means as soon as the source knew or should have known of the violation.)

Immediate Corrective Action	Daily Scor	e
Yes	-2	
Unsure or Infeasible	0	
No	2	

5. Were appropriate measures taken to prevent future violations? (Appropriate measures could include updating the O&M plan, operator training, purchasing spare parts, design improvements, or other appropriate actions.)

Appropriate Preventive Measures	•	Daily Score
Yes		-2
Unsure or Infeasible		0
No	. 🕫	2

6. Did the violator have an economic incentive to violate?

Economic Incentive to Violate			Daily Score
No			0
Probably	•		1
Definitely			2

110 Union Street, Suite 500, Seattle, Washington 98101-2038 206-343-8800 / 1-800-552-3565 / Fax 206-343-7522				
Registration No. 1101 1 100 100 100 100 100 100 100 100				
March	10 6	See bel 19 Specific	ow for one	
	Responsible Person, Title			
Name	Acopolision 2 or com, 1355			
Ash Grove Cement Co.	Henrik Vo	ldback	Manager	
Location of Violation (Address)	City	Zip	County	
3801 E Marginal Way So.	Scattle	98134	King	
Mailing Address	City, State	Zip	Phone · (/	
As Above	Scattle, WA	98134	206 623 - 5596	
DID UNLAWFULLY CAUSE				
	OUND AIR POLLUTIO	N CONTROL AG	ENCY FOR:	
 □ Section 5.05(e) □ Section 6.03(a) Failure to develop and implement an operation and □ Failure to obtain Notice of Construction approval properties. 	maintenance plan. rior to construction/installati	on/establishment of	a source.	
Section 9 03(a) Visible emissions in excess of 20% opacity for period	ods aggregating more than 3	minutes/hour.		
Section 9.11(a) Emission of air contaminant in quantities/characteri Section 9.12(b) Emission of odor-bearing air contaminants without	stics/duration so as to be injuse of hest available control	technology.	tur enjoyment or morroporty.	
Section 9.15(a) Emission of fugitive dust without use of best availal	ble control technology.			
☐ Section 9.15(b) Deposition of mud, dirt, or debris from vehicle or lo	oad onto a paved public road	way.		
☐ Section 9.15(c) Emission of fugitive dust from manufacturing procedure. Section 9.16 Failure to apply VOC-containing material using spr	ess equipment or control appays equipment in an enclosed	aratus. I area with filtered e:	khaust and vertical stack.	
Section 9.20 Failure to operate and maintain equipment in good	working order.			
Failure to meet Order of Approval No. 738	_, Condition No5 (k)	11 . %	
□ Section Main Stack emissions of Nox no	+ to exceed 70	uppm Corci	ctcd to 10/0	
Oz 1 hr. Ave	read tal oppo	corrected	to 10% 0. NOX	
Section Main Stack emissions not to cx	CEPAL SOI FFIN	COLLEGE	10-107-03-107-	
FACTS ALLEGED TO CONSTITUTE A VIOLATION The	following dat	rs for N	0x	
Wildtians were reported in your	March 1999	CEM re	POT	
3/3/99 3/4/99 3/5/99 3/6/99 3/8/99	3/12/99			
CORRECTIVE ACTION ORDER				
Under the provisions of Section 3.09 of Regulation I and RCW 70.94.211 you are ordered to submit a written report within ten (10) days of receipt of				
this Notice describing the necessary corrective action you have taken or propose to take, including a schedule, to achieve continuous compliance with the regulations, and take the following necessary corrective action:				
NA IA IO	.=			

Received By:

Signing this Notice is not an admission of guilt AGCS2M001376

Air Pollution Inspector
Form No. 70-119 (Revised 12/95 cbc)

ASH GROVE CEMENT COMPANY

"WESTERN REGION" June 11, 1999

Elizabeth Gilpin Puget Sound Air Pollution Control Agency 110 Union Street, Suite 500 Seattle WA 98101-2038

Dear Ms. Gilpin:

Re: Notice of Violation #36727

The following is further information as you requested on the excess NO_X emissions reported in our CEM from March 1998. We hope this is adequate.

NO_X Emissions:

March 3,4,5,6,8 1999:

As reported, there was difficulty controlling the powdered coal feeder. This caused the kiln to control in an unstable fashion. The operator reduced the NO_X by stabilizing the kiln and controlling the draft. To prevent/diminish future recurrences, the feeder is underwent major maintenance during our kiln March outage. Over the years, normal wear has deteriorated the performance requiring all the internals to be replaced. A representative from the manufacturer was on site during the rebuild to evaluate our system and make recommendations to aid in better maintenance and operations.

During the previous year several problems arose with the operation of our powdered fuel feeders. Erratic flow was noted both to and out of the feeders. This caused us numerous operational problems. Controlling NO_X during the operation of a cement kiln requires maintaining the kiln fuel and feed in a stable fashion. If there are inconsistencies in the fuel, two situations could arise. If there is a loss of coal, the oxygen in the system will rise, causing the NO_X to rise temporarily. Soon, however the burning zone will cool off lowering the NO_X , but requiring more fuel to be added to maintain stable operation. The kiln is thus put into a cycle of increasing and decreasing NO_X . If the feed rate is inconsistent, safety dictates that we must run with a slightly elevated oxygen level to prevent the presence of combustibles in the system. This also creates an elevated NOX level.

During the year, we identified several problems with the feeders. There was excessive wear on the machined internals. This was causing inconstant flow out of the feeders. At the time, these were remachined. This alleviated the problem only slightly. New internal parts were ordered and these were installed during our kiln outage the last half of March. Inconsistent material flow to the feeder was identified as a problem. This was due primarily to buildup in the feed bin. This was also alleviated during the outage. Based on the recommendations of the manufacturer, we changed the operation of the bin agitator and repaired the aeration nozzles.

With the modifications listed above, we have seen a remarkable change in the consistency of the powdered fuel fed to the kiln. Since the March outage, there have been no more exceedences of the NOX limit due to inconsistent operation of the feeders. The feeders will receive yearly maintenance during our planned annual kiln outages to maintain its current level of operation.

ASH GROVE CEMENT COMPANY



NOV #36727

March 12 1999:

"WESTERN REGION"

As reported, the kiln was switched over to gas from coal. This was to prepare for our kiln maintenance outage. To perform the maintenance required on our powdered coal feeder, we had to empty the powdered fuel bin and clean it out before the kiln was actually shut down. We switched to gas at 05:00 on 3/12. The switch of fuels created instability in the kiln and caused the higher NO_X . The operator reduced the NO_X by stabilizing the kiln and controlling the draft. This incident should be excused from penalty under WAC 173-400-107(5). This was not caused by poor design, operation or maintenance. The maintenance could not have been scheduled at a better time. As has been detailed earlier in this report we were experiencing numerous operational problems with the feeders and it was absolutely necessary to perform the maintenance to permit smooth operation and prevent future problems with emissions.

A few actions were taken that working together should alleviate the situation above. As described in the explanation for the violations earlier in the month, there was inconsistent feed coming out of the feed bin. This was worsened if the level of coal was too low or too high in the bin. This would limit the amount of time we could perform routine maintenance on the coal mills without affecting the operation of the kiln. By affecting the changes to the system described above, we have eliminated the need of maintaining an exact bin level. We have set up a weekly maintenance program for the coal mills. Through better maintenance of the coal mills, we expect to see a dramatic reduction on the number of times we need to switch fuels on short notice.

Sincerely,

J. Trygve Grey Process Engineer

Registration No	11339
Cert. Mail No. Z	32435307

Form No. 70-119 (Revised 12/95 cbc)

110 Union Street, Suite 500, Seattle, Washington 98101-2038 206-343-8800 / 1-800-552-3565 / Fax 206-343-7522

No.

36232

NOTICE OF VIOLATION

Date of Violation: 4-19		77	atm.	
Name	Responsible Person, Titl	е		
. Ash Grove Cement Co.	Henrik Voldbaet, Mg			
Location of Violation (Address)	City	Zip	County	
3801 E. Marginal Wy 3	Seattle	98134	KING	
Mailing Address	City, State	Zip	Phone	
Same	, WA		623-5596	
DID UNLAWFULLY CAUSE	OR ALLOW VIO	LATION OF:		
	OUND AIR POLLUTION	N CONTROL AG	ENCY FOR:	
□ Section 5.05(e) Failure to develop and implement an operation and maintenance plan. Section 6.03(a) Failure to obtain Notice of Construction approval prior to construction/installation/establishment of a source. Visible emissions in excess of 20% opacity for periods aggregating more than 3 minutes/hour. Emission of air contaminant in quantities/characteristics/duration so as to be injurious or interfere with enjoyment of life/property. Section 9.12(b) Emission of odor-bearing air contaminants without use of best available control technology. Section 9.15(a) Emission of fugitive dust without use of best available control technology. Section 9.15(b) Deposition of mud, dirt, or debris from vehicle or load onto a paved public roadway. Section 9.15(c) Emission of fugitive dust from manufacturing process equipment or control apparatus. Section 9.16 Failure to apply VOC-containing material using spray equipment in an enclosed area with filtered exhaust and vertical stack. Section 9.20 Failure to operate and maintain equipment in good working order. Failure to meet Order of Approval No. 5730 Condition No. 6 B NOx emissions 7700ppn Section 0.500 Oxygyy Inv awdica year.				
□ Section	serve o opposite of	•		
FACTS ALLEGED TO CONSTITUTE A VIOLATION April 1997 CEM Report				
CORRECTIVE ACTION ORDER Under the provisions of Section 3.09 of Regulation I and RCW 70.94.211 you are ordered to <u>submit a written report within ten (10) days of receipt of this Notice</u> describing the necessary corrective action you have taken or propose to take, including a schedule, to achieve continuous compliance with the regulations, <u>and</u> take the following necessary corrective action:				
Full Sustin				
			4.000011004070	

Received By: .

Signing this Notice is not an admission of guilt